

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: KEURIG GREEN MOUNTAIN SINGLE-SERVE  
COFFEE ANTITRUST LITIGATION

CIVIL ACTION NO.: 14 MD 2542 (VSB) (SLC)

**DISCOVERY CONFERENCE  
SCHEDULING ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Before the Court is the letter-motion of Indirect Purchaser Plaintiffs (“IPPs”) seeking an order compelling non-party Amazon.com (“Amazon”) to produce transactional data and other materials responsive to the IPPs subpoena (the “Motion”). (ECF No. 923). Pursuant to the discovery conference held today, May 7, 2020, the Court orders as follows:<sup>1</sup>

1. The IPPs are directed to confer with their damages experts and propose to Amazon a list of no more than 100 ASINs. Thereafter, the IPPs and Amazon are directed to meet and confer on the number of ASINs to be searched, and the prioritization of the rolling production of the transactional data.
2. The IPPs are directed to review their production database and propose a list of custodians and search terms to Amazon. Thereafter, the parties are directed to meet and confer on the manner of document production.

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<sup>1</sup> Amazon argues that this Court lacks jurisdiction to adjudicate the indirect purchaser plaintiff’s (“IPPs”) motion. (ECF No. 926). Pursuant to 28 U.S.C. § 1407(b), the judge before whom the litigation has been consolidated “may exercise the powers of a district judge in any district for the purpose of conducting pretrial depositions.” Notwithstanding the statute’s reference to depositions, “it is widely accepted that this authority extends to all pretrial proceedings, including governance of non-party, extra-district subpoenas.” In re Bank of New York Mellon Corp. Forex Trans. Litig., Nos. 12 MD 2335(LAK) (JLC), et al., 2014 WL 2884726, at \*1 (S.D.N.Y. June 26, 2014) (collecting cases). Accordingly, despite Amazon’s objection, the Court finds that it has authority to adjudicate the IPPs’ Motion. Id.

The Court will hold a telephone conference to discuss any outstanding issues regarding the Motion on **Thursday, May 14, 2020 at 2:30 pm**. The parties are directed to call into the Court's conference line at 866-390-1828, access code 380-9799, at the scheduled time.

Dated: New York, New York  
May 7, 2020

SO ORDERED



SARAH L. CAVE  
United States Magistrate Judge